

**The Department of Community Planning & Development**  
City Hall, Lynchburg, VA 24504 434-455-3900

---

To: Planning Commission  
From: Planning Division  
Date: February 25, 2004  
Re: **REZONING: B-1, Limited Business District (Conditional) to B-1, Limited Business District (Conditional) to amend previously approved proffers at 2134 Old Forest Road**

---

**I. PETITIONER**

Mr. Robert D. Crocker, 2134 Old Forest Road, Lynchburg, VA 24501  
**Representative:** Mr. Robert D. Crocker, 2134 Old Forest Road, Lynchburg, VA 24501

**II. LOCATION**

The subject property is a tract of approximately 2.9 acres located at 2134 Old Forest Road.  
**Property Owners:** Robert D. Crocker & Wanda E. Brooks-Crocker, 2134 Old Forest Road, Lynchburg, VA 24501

**III. PURPOSE**

The purpose of the petition is to amend previously approved proffers to allow the use of the property as an eight (8) room lodging house.

**IV. SUMMARY**

- Petition agrees with the Comprehensive Plan which designates this area as Medium Density Residential.
- Petition agrees with the Zoning Ordinance in that a lodging house is a permitted use in a B-1, Limited Business District.

**The Planning Division recommends approval of the rezoning petition.**

---

**V. FINDINGS OF FACT**

1. **Comprehensive Plan.** The Lynchburg *Comprehensive Plan* recommends that this area be Medium Density Residential. These areas are characterized by small lot single-family detached housing, duplexes, and townhouses at densities up to twelve (12) units per acre. Where neighborhoods already exist, infill development should be at a compatible density and housing type. In addition to residential uses, they might include public and institutional uses compatible in scale with single-family residential homes. Private recreation uses, including country clubs and swim and racquet clubs, and private open space is also appropriate.
2. **Zoning.** The subject property was annexed into the City in 1926 and was zoned for residential uses until March 10, 1998 when the current B-1, Limited Business District (Conditional) zoning was adopted. The current zoning limits the use of the property to a bed & breakfast, a massage therapy center and limits the size and number of buildings on the property.

3. **Proffers.** The petitioner voluntarily submitted the following proffers with the rezoning application:
  - The property will be developed in substantial compliance with the site plan dated 12/09/03 and revised 1/30/04.
  - The length of construction, once started, will not exceed two (2) years.
  - The number of lodging rooms will not exceed eight (8).
  - The Maher Street entrance will be gated and used only for emergency access.
  - The outdoor lighting will be glare shielded and non-directional.
  - All rooms will have internal entrances from the new lodge.
  - No trees or shrubbery will be removed unless approved by the City's Urban Forester.
  - The design of the proposed lodge will be Victorian style.
  - If sold, the property must be an owner occupied lodge, spa and muscle massage therapy center or residential property.
4. **Board of Zoning Appeals (BZA).** The Zoning Official has determined that no variances will be needed for the proposed rezoning or use of the property as a lodging house.
5. **Previous Actions.** The following items in the area have required City Council approval:
  - On August 13, 1996, the City Council approved the Conditional Use Permit petition of Robert D. Crocker to allow the use of the property at 2134 Old Forest Road as a Bed & Breakfast for up to six guests.
  - On March 10, 1998, the City Council approved the rezoning petition of Robert D. Crocker from R-2, Single-Family Residential District to B-1, Limited Business District (Conditional) to allow the use of the property as a Bed & Breakfast and a massage therapy center.
6. **Site Description.** The subject property is bounded to the north, south, east and west by residential uses, primarily single-family homes and vacant land.
7. **Proposed Use of Property.** The purpose of the rezoning is to amend previously approved proffers to allow the renovation of the existing residence and to allow the use of the property as a lodging house, massage therapy center and spa.
8. **Traffic and Parking.** The City Traffic Engineer has no comments of concern regarding the subject petition. The proposed use is not expected to generate a significant amount of traffic other than what currently exists. The petitioner has voluntarily proffered to gate the Maher Street entrance and use it only for emergency access. This will result in all lodge and spa traffic being directed to Old Forest Road. This will minimize any adverse impacts to the neighborhood relating to traffic.
9. **Stormwater Management.** A stormwater management plan will be required for the building and parking additions because disturbed areas will exceed 1,000 square feet. Storm water management will be addressed by using "Best Management Practices"

(BMP's). A stormwater management plan will be required prior to final site plan approval.

10. **Impact.** The petition proposes to rezone the property from B-1, Limited Business District (Conditional) to B-1, Limited Business District (Conditional) to amend previously approved proffers. The current proffers limit the use of the property to a Bed & Breakfast, Massage Therapy and a Spa. The petitioner is proposing to demolish portions of the existing structure and construct a new 26,000 square feet "Victorian" style lodge for up to eight (8) guests, while also maintaining the massage therapy and spa business. During construction the petitioner proposes to lease four (4) rooms that are above the current massage therapy and spa building. After construction is complete all lodging rooms would be in the new structure with access limited to within the lodge.

A Victorian house can be characterized by three styles of architecture, Italianate, Eastlake-Stick, and Queen Anne. The style that most closely resembles the petitioner's proposal is Queen Anne. This style has gabled or hipped roofs with second story projections and corner turrets. Gabled ends have stylized relief decoration or are ornamented with heavy timbers.



*Queen Anne*

The petitioner held a neighborhood meeting on Monday, February 2, 2004 to discuss the proposal with the neighborhood. Members of City staff were in attendance at this meeting. Concerns voiced at the meeting were related to time of construction, lighting, traffic and design of the proposed lodge. The proffers voluntarily submitted by the petitioner adequately address the concerns of the neighbors present at the meeting and the Planning Division. While the proposed use of the property should have little adverse impact on the neighborhood, the Planning Division can not support any future expansions of the facility beyond what is contained within this petition.

11. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the preliminary site plan on January 20, 2004. Comments related to the proposed use were

minor in nature and have or will be addressed by the developer prior to final site plan approval.

---

## **VI. PLANNING DIVISION RECOMMENDATION**

**Based on the preceding Findings of Fact, the Planning Commission recommends to the City Council approval of the petition of Robert D. Crocker & Wanda E. Brooks-Crocker to rezone approximately 2.9 acres at 2134 Old Forest Road from B-1, Limited Business District (Conditional) to B-1, Limited Business District (Conditional) to amend previously approved proffers.**

This matter is respectfully offered for your consideration.

William T. Martin, AICP  
City Planner

pc: Mr. L. Kimball Payne, III, City Manager  
Mr. Walter C. Erwin, City Attorney  
Ms. Rachel O. Flynn, Director of Community Planning & Development  
Mr. Bruce A. McNabb, Director of Public Works  
Mr. R. Douglas Dejarnette, Fire Marshal  
Ms. Judith C. Wiegand, Senior Planner  
Mr. J. Lee Newland, Director of Engineering  
Mr. Gerry L. Harter, Traffic Engineer  
Mr. Karl Cooler, Building Commissioner  
Mr. Arthur L. Tolley, Zoning Official  
Mr. Robert S. Fowler, Zoning Official  
Mr. Kent White, Environmental Planner  
Mr. Robert Crocker & Ms. Wanda Brooks-Crocker, Petitioners

## **VII. ATTACHMENTS**

- 1. Vicinity Zoning Pattern**  
(see attached map)
- 2. Vicinity Proposed Land Use**  
(see attached map)
- 3. Site Plan**  
(see attached site plans)
- 4. Narrative**

(see attached narrative)

**5. Petition of Opposition**

(see attached petition)

**6. Neighborhood Meeting Roster**

(see attached roster)